

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:05CV321**

**KATRINA JOINER,**

**Plaintiff,**

**vs.**

**CHOICEPOINT SERVICES, INC., )  
and REVCO DISCOUNT DRUG )  
CENTERS, INC., d/b/a CVS, )**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court on the following motions:

1. Plaintiff's motion to quash and for a protective order regarding the subpoena *duces tecum* issued to Lowe's Home Center, filed August 24, 2006, and the response thereto by Defendant Revco Discount Drug Centers, Inc. (Revco), filed August 28, 2006;
2. Plaintiff's motion for partial reconsideration of the Court's June 27, 2006, Order, and to compel Revco to respond to her discovery requests, and for an order shortening time for filing responses to those motions, filed August 25, 2006;
3. Plaintiff's motion to seal Affidavit filed August 24, 2006 (Pleading No. 50) and the attachments thereto; and

4. Revco's "emergency" motion to quash or modify and for a protective order regarding subpoenas *duces tecum* issued to CVS employees.<sup>1</sup>

It appears to the Court that the parties have reached an impasse as to discovery issues and a hearing will be scheduled to resolve these matters. The Court will allow the Plaintiff's motion to seal.

**IT IS, THEREFORE, ORDERED** that this matter is scheduled for hearing on the parties' motions listed above (with the exception of the motion to seal) for **THURSDAY, SEPTEMBER 14, 2006, AT 10:00 A.M.**, in the Third Floor main courtroom at the U.S. Courthouse in Asheville, North Carolina. If the parties resolve these matters beforehand, counsel is to notify the Court immediately.

**IT IS FURTHER ORDERED** that the Plaintiff's motion to seal is **ALLOWED**, and the Affidavit filed August 24, 2006 (Pleading No. 50), and the attachments thereto are hereby **SEALED** until further Order of this Court.

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<sup>1</sup> The subpoenas noticed the employees' depositions for **September 6, 2006, at 10:00 am**. Defendants' "emergency" motion was filed at 9:07 a.m., on September 6.

Signed: September 6, 2006

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

